

multiple access channels.

Drawing Objection

A set of formal drawings is being filed herewith. Withdrawal of this objection is requested.

35 U.S.C. § 102 Rejections

The rejection of claim 13 and 31-33 as being anticipated by Kamm et al., U.S. Patent No. 5,457,680 ("Kamm") is respectfully traversed. The Examiner alleges that Kamm discloses in Fig. 1K, steps 622-626, determination of a number of radio channels to be assigned to a first radio terminal according to the rate of increase of stored data to be transmitted per unit time.

To the contrary, steps 622-626 of Fig. 1K are simply the reverse channel analog of the forward channel steps 614-618, which were explained in the response to the first Office action filed December 31, 2001, incorporated by reference herein. Specifically, Kamm allocates an additional channel when the data packet size is greater than a threshold value. Kamm does not determine any rate of increase of stored data per unit time.

With respect to claims 31-33, Kamm simply discloses that an additional slot is allocated, if available. Kamm is completely silent as to what is done if the additional slot is unavailable; Kamm does not disclose reassigning the first radio terminal to a predetermined number of other unassigned adjacent radio channels, if a predetermined number of radio channels adjacent to an assigned channel of the first radio terminal are not unassigned.

The rejection of claim 14 as being anticipated by Dunn et al., U.S. Patent No. 5,625,877 also is respectfully traversed. Dunn et al. simply determines whether to aggregate channels based on the size of a communication awaiting transmission (col. 12, ll. 66-67). Dunn does not determine whether to allocate an additional radio channel according to a rate of increase of stored data per unit time, as set forth in claim 14.

35 U.S.C. § 103 Rejections

The rejection of claim 15 as being unpatentable over newly cited Bruckert et al. (US 5,781,583) in view of newly cited Nakagoshi et al. (US 5,799,252) is respectfully

traversed. The Examiner asserts that Nakagoshi teaches exchanging information regarding channels in a handover between base stations, and proposes to modify Bruckert to include such feature.

In contrast to the claimed invention, Nakagoshi discloses a handover process in which a radio terminal does not have to switch to a new radio channel in order to transfer communication to a new base station, by "equalizing" the radio channel used between the new base station and the radio terminal to be the same as the radio channel used between the old base station and the radio terminal. This procedure is described at col. 6, line 64 to col. 7, line 3, and is the procedure referred to in the summary at col. 4, ll. 10-14 cited by the Examiner.

As such, there is in Nakagoshi no communication between base stations of the number of radio channels that were assigned to the radio terminal for communication with the first base station, so that the second base station may assign an equal number to the radio terminal upon completion of the handover operation. Thus, the Examiner's position is incorrect.

The rejection of claims 34 and 35 as being unpatentable over Kamm in view of Krebs is traversed. Krebs relates to the use of a central processor for determining whether a message intended for a communication unit is of a first, second or third bandwidth. Depending upon the result of the determination, the processor transmits the message to the communication unit over a communication resource that is appropriate for the determined bandwidth. According to Krebs, the communication resource for the third bandwidth message is a multiple consecutive time slot communication channel. Krebs does not suggest reassignment of existing assigned channels to make available adjacent radio channels for assignment to a radio terminal in response to a request for an increase in assigned channels.

Krebs fails to cure the deficiencies of Kamm with respect to claim 31; as such no combination of Kamm with Krebs could result in the invention of claims 34 and 35. Withdrawal of this ground of rejection is respectfully urged.

Claims 18, 19, 21 and 25 are rejected as being unpatentable over Kamm in view of Dunn. This ground of rejection is respectfully traversed. The Examiner states that claim 18 is interpreted the same as claim 31. Consequently, the rejection is improper

because Kamm fails to disclose any reassignment of a radio terminal to a predetermined number of unassigned adjacent radio channels if no predetermined number of radio channels adjacent to an assigned radio channel of the radio terminal exist.

The Examiner adds the Krebs reference to Kamm and Dunn to reject claim 24; however the rejection is improper because Krebs fails to cure the basic deficiencies of the prior art with respect to independent claim 18 as explained above.

Conclusion

In view of the foregoing, favorable reconsideration of this application, withdrawal of all outstanding grounds of rejection, and the issuance of a Notice of Allowance are earnestly solicited.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2135.

RESPECTFULLY SUBMITTED,			
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Attachments: Marked-Up Copies of Amendments

MARKED-UP VERSION OF AMENDMENTS SHOWING CHANGES MADE

In the Claims:

--30. (Amended) The radio channel assignment method of claim 26, wherein said radio channels in said radio zone are [frequency] time division multiple access channels.

--35. (Amended) The radio channel assignment method of claim 31, wherein said radio channels in said radio zone are [frequency] time division multiple access channels.—.